



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 09/851,177 RECEIVED
Applicants : HU, X.D., et al CENTRAL FAX CENTER
Filing Date : May 8, 2001 JUN 05 2006
TC/A.U. : 1754
Examiner : C. Nguyen
Attorney Docket No. : ZL 494/01001
Title: HIGH SURFACE AREA, SMALL CRYSTALLITE SIZE CATALYST FOR FISCHER-TROPSCH SYNTHESIS

Commissioner for Patents
Director of Technology Center 1700
Fax No. 571-273-8300

3rd REQUEST FOR STATUS (no response received to fax sent March 27, 2006 or May 8, 2006)

Dear Sir/Madam:

In response to a notice of abandonment for the above referenced application, we filed a request for withdrawal of holding abandonment based on timely filed and received response to an office action. We received a petition granted for this request on September 16, 2004 (see attached).

Please inform us of any additional office letters sent to Süd-Chemie Inc. for patent application 09/851,177.

Thank you for your assistance.

Sincerely,

Anna Feit

Donna Fettill

Legal Assistant to Joan L. Simunic (Reg. No. 43,125)
Phone 502-634-7029
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JUN 05 2006

SEP 16 2004

202-7061-007

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Technology Center 1700.

SEP 15 2004

AUG 25 2004

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Paper Number: _____

In re application of:

X.D. Hu : DECISION ON
Serial No. 09/851,177 : PETITION

Filed: May 08, 2001

For: HIGH SURFACE AREA, SMALL CRYSTALLITE SIZE CATALYST
FOR FISCHER-TROPSCH SYNTHESIS:

This is a response to the REQUEST FOR WITHDRAWAL OF HOLDING ABANDONMENT BASED ON REPLY TIMELY FILED AND RECEIVED IN THE OFFICE BUT NOT CORRELATED WITH THE APPLICATION PURSUANT TO 37 C.F.R. 1.181, filed May 24, 2004. The requester asks that the abandonment, as set forth in the Notice of Abandonment of November 18, 2003, for failure to timely file a proper response to the Office letter dated May 26, 2003 be withdrawn. The requester asserts that applicants timely filed a proper response and Petition for Extension of Time on September 24, 2003.

DECISION

The instant request is accepted as a petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicants did file the proper response to the Office letter of May 26, 2003 in a timely manner. The evidence provided includes: 1) copies of the Response (Exhibit A) to the Office letter dated May 26, 2003 and a Petition for three months Extension of Time with payment by credit card of \$930.00 (Exhibit B) with Certificates of Facsimile Transmission thereon certifying that the Response and Petition for Extension of Time were timely transmitted to the USPTO on September 24, 2003; and 2) a copy of the Auto-Reply Facsimile Transmission

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Report confirming receipt of the Response and Petition for Extension of Time dated September 24, 2003 with a Certificate of Transmission by Facsimile.

Therefore, the abandonment is hereby withdrawn, and the application is returned to pending status. The application will be forwarded to the Technical Support Staff for entering of the Response dated September 24, 2003 and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.

JMS/Stone

Jacqueline Stone, Director
Technology Center 1700
Chemical and Materials Engineering

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